

# Senate Amendment 5033

PAG LIN

1 1 Amend Senate File 2175 as follows:  
1 2 #1. Page 1, by striking lines 30 and 31 and  
1 3 inserting the following:  
1 4 <Sec. \_\_\_\_\_. Section 85.38, subsection 2, Code 2003,  
1 5 is amended to read as follows:  
1 6 2. CREDIT FOR BENEFITS PAID UNDER GROUP PLANS. In  
1 7 the event the employee ~~with a disability~~ shall receive  
1 8 any benefits, including medical, surgical, or hospital  
1 9 benefits, under any group plan covering  
1 10 nonoccupational disabilities contributed to wholly or  
1 11 partially by the employer, which benefits should not  
1 12 have been paid or payable if any rights of recovery  
1 13 existed under this chapter, chapter 85A, or chapter  
1 14 85B, then the amounts so paid to the employee from the  
1 15 group plan shall be credited to or against any  
1 16 compensation payments, including medical, surgical, or  
1 17 hospital, made or to be made under this chapter,  
1 18 chapter 85A, or chapter 85B. The amounts so credited  
1 19 shall be deducted from the payments made under these  
1 20 chapters. Any nonoccupational plan shall be  
1 21 reimbursed in the amount deducted. This section shall  
1 22 not apply to payments made under any group plan which  
1 23 would have been payable even though there was an  
1 24 injury under this chapter or an occupational disease  
1 25 under chapter 85A or an occupational hearing loss  
1 26 under chapter 85B. Any employer receiving such credit  
1 27 shall keep the employee safe and harmless from any and  
1 28 all claims or liabilities that may be made against  
1 29 them by reason of having received the payments only to  
1 30 the extent of the credit.>  
1 31 #2. Page 1, lines 34 and 35, by striking the words  
1 32 <with a disability> and inserting the following:  
1 33 ~~<with a disability>.~~  
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1 37 LARRY McKIBBEN  
1 38 SF 2175.302 80  
1 39 av/cf  
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